

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PETER ALLEN, *et al.*

Plaintiffs,

-VS.-

CARL KOENIGSMANN, *et al.*

Defendants.

ORDER TO PRODUCE

19-cv-8173 (LAP)

ECF

**TO: Susan Squires, Superintendent
Albion Correctional Facility
3595 State School Road
Albion, New York 14411-9399**

WHEREAS Tina Vivenzio DIN#14G0521 is a class member in the above-captioned matter;

WHEREAS Ms. Vivenzio is currently in custody at Albion Correctional Facility in Albion, New York; and

WHEREAS Ms. Vivenzio's testimony is needed for a trial in the above-captioned matter; and

NOW THEREFORE, IT IS ORDERED that the SUPERINTENDENT OF ALBION CORRECTIONAL FACILITY produce Tina Vivenzio on September 5, 2023 at 9:00am until her testimony is complete and/or the day's proceedings have ended; and

IT IS FURTHER ORDERED that Ms. Vivenzio must be allowed to participate in the video proceeding in a privileged and confidential manner; DOCCS personnel must allow her to bring any legal papers Ms. Vivenzio has been sent by her counsel and she shall be allowed to testify without the presence of any third parties in the room, unless bona fide safety and security issues necessitate the presence of a member of DOCCS' personnel.

Dated: August 10, 2023

So ordered:


LORETTA A. PRESKA, U.S.D.J.